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TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—UNITED STATES STANDARDS FOR GRADES OF CANNED ORANGE JUICE¹

On December 8, 1955, a notice of proposed rule making was published in the *Federal Register* (20 F. R. 9018) regarding a proposed revision of the United States Standards for Grades of Canned Orange Juice (7 CFR 52.1551–52.1563).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Canned Orange Juice are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.):

PRODUCT DESCRIPTION, STYLES, AND GRADES

- Sec.
52.1551 Product description.
52.1552 Styles of canned orange juice.
52.1553 Grades of canned orange juice.

FILL OF CONTAINER

- 52.1554 Recommended fill of container.

FACTORS OF QUALITY

- 52.1555 Ascertaining the grade.
52.1556 Ascertaining the rating for the factors which are scored.
52.1557 Color.
52.1558 Absence of defects.
52.1559 Flavor.

EXPLANATIONS AND METHODS OF ANALYSES

- 52.1560 Definitions of terms and methods of analyses.

¹ Compliance with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or with applicable State laws and regulations.

LOT CERTIFICATION TOLERANCES

- Sec.
52.1561 Tolerances for certification of officially drawn samples.

SCORE SHEET

- 52.1562 Score sheet for canned orange juice.

AUTHORITY: §§ 52.1551 to 52.1562 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.1551 *Product description.* Canned orange juice is the undiluted, unconcentrated, unfermented juice obtained from mature fresh fruit of the sweet orange group (*Citrus sinensis*) and Mandarin group (*Citrus reticulata*), except tangerines, which fruit has been properly washed; is packed with or without the addition of a non-liquid nutritive sweetening ingredient or sweetening ingredients; and is sufficiently processed by heat to assure preservation of the product in hermetically-sealed containers.

§ 52.1552 *Styles of canned orange juice.* (a) Style I, Unsweetened (without added sweetening ingredient).

(b) Style II, Sweetened (with added sweetening ingredient). Canned orange juice of this style shall have been processed with the addition of sufficient nutritive sweetening ingredient or sweetening ingredients to produce a perceptibly sweet canned orange juice.

§ 52.1553 *Grades of canned orange juice.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of canned orange juice that shows no coagulation; that possesses a very good color; that is practically free from defects; that possesses a very good flavor; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 85 points.

(b) "U. S. Grade C" or "U. S. Standard" is the quality of canned orange juice that may show slight coagulation; that possesses a good color; that is fairly free from defects; that possesses a good flavor; and that for those factors which are scored in accordance with the scor-

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ing system outlined in this subpart the total score is not less than 70 points.

(c) "Substandard" is the quality of canned orange juice that fails to meet the requirements of U. S. Grade C or U. S. Standard.

FILL OF CONTAINER

§ 52.1554 *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that the container be as full of orange juice as practicable and that the product occupy not less than 90 percent of the volume capacity of the container.

FACTORS OF QUALITY

§ 52.1555 *Ascertaining the grade.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(a) *Factor not rated by score points.*

(1) Degree of coagulation.

(b) *Factors rated by score points.*

The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(1) Color.....	40
(2) Absence of defects.....	20
(3) Flavor.....	40

Total score 100

§ 52.1556 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.1557 *Color—(a) (A) classification.* Canned orange juice that possesses a very good color may be given a score of 34 to 40 points. "Very good color" means that the orange juice possesses a bright yellow to yellow-orange color typical of freshly extracted juice and is free from browning due to scorching, oxidation, caramelization, or other causes.

(b) *(C) classification.* If the canned orange juice possesses a good color, a score of 28 to 33 points may be given. Canned orange juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Good color" means that the orange juice may be slightly amber or very light in color but is typical of canned orange juice and may show evidence of slight browning, but is not off-color.

(c) *(SSd) classification.* Canned orange juice that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1558 *Absence of defects—(a) General.* The factor of absence of de-

fects refers to the degree of freedom from recoverable oil; from particles of membrane, core, or skin; from seeds or seed particles; and from other defects.

(b) (A) *classification*. Canned orange juice that is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that there may be present not more than 0.030 percent by volume of recoverable oil and that the juice does not contain particles of membrane, core, or skin, seeds or seed particles, or other defects that affect more than slightly the appearance of the product.

(c) (C) *classification*. If the canned orange juice is fairly free from defects, a score of 14 to 16 points may be given. Canned orange juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that there may be present not more than 0.050 percent by volume of recoverable oil and that the juice does not contain particles of membrane, core, or skin, seed or seed particles, or other defects that affect materially the appearance of the product.

(d) (SStd) *classification*. Canned orange juice that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1559 *Flavor*—(a) (A) *classification*. Canned orange juice that possesses a very good flavor may be given a score of 34 to 40 points. "Very good flavor" means a fine, distinct canned orange juice flavor which is definitely free from traces of scorching, caramelization, oxidation, or terpene; is free from off flavors of any kind; and meets the following requirements for the respective style:

(1) *Style I, Unsweetened (without added sweetening ingredient)*—(i) *Brix*. Not less than 10.5°;

(ii) *Acid*. Not less than 0.75 gram nor more than 1.45 grams per 100 ml. of juice: *Provided*, That when the canned orange juice has a color that scores 38 to 40 points, the acidity may be not less than 0.70 gram per 100 ml. of juice; and

(iii) *Brix-acid ratio*. Not less than 10 to 1 if the Brix is less than 11.5° but not less than 10.5°; not less than 9 to 1 if the Brix is 11.5° or more; and not more than 18 to 1.

(2) *Style II, Sweetened (with added sweetening ingredient)*—(i) *Brix*. Not less than 10.5°;

(ii) *Acid*. Not less than 0.75 gram nor more than 1.45 grams per 100 ml. of juice: *Provided*, That when the canned orange juice has a color that scores 38 to 40 points, the acidity may be not less than 0.70 gram per 100 ml. of juice; and

(iii) *Brix-acid ratio*. Not less than 12 to 1 nor more than 18 to 1: *Provided*, That when the Brix is 15° or more, the Brix-acid ratio may be less than 12 to 1.

(b) (C) *classification*. If the canned orange juice possesses a good flavor, a score of 28 to 33 points may be given. Canned orange juice that falls into this classification shall not be graded above

U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Good flavor" means a good, normal canned orange juice flavor which may have a slightly caramelized or slightly oxidized flavor but is free from off flavors of any kind and meets the following requirements for the respective style:

(1) *Style I, Unsweetened (without added sweetening ingredient)*—(i) *Brix*. Not less than 10.0°;

(ii) *Acid*. Not less than 0.55 gram nor more than 1.60 grams per 100 ml. of juice; and

(iii) *Brix-acid ratio*. Not less than 9.0 to 1.

(2) *Style II, Sweetened (with added sweetening ingredient)*—(i) *Brix*. Not less than 10.5°;

(ii) *Acid*. Not less than 0.65 gram nor more than 1.65 grams per 100 ml. of juice; and

(iii) *Brix-acid ratio*. Not less than 12 to 1: *Provided*, That when the Brix is 15° or more, the Brix-acid ratio may be less than 12 to 1.

(c) (SStd) *classification*. Canned orange juice that fails to meet the requirements of paragraph (b) of this section, or is off flavor for any reason, may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSES

§ 52.1560 *Definitions of terms and methods of analyses*—(a) *Brix*. "Brix" means the degrees Brix of canned orange juice when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.). If used in testing juice at a temperature other than 20 degrees C. (68 degrees F.) the applicable temperature correction shall be made to the reading of the scale as prescribed in the "Official Methods of Analysis of the Association of Official Agricultural Chemists." The degrees Brix of canned orange juice may be determined by any other method which gives equivalent results.

(b) *Acid*. "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 ml. of canned orange juice. Total acidity is determined by titration with standard sodium hydroxide solution using phenolphthalein as indicator.

(c) *Recoverable Oil*. "Recoverable oil" in canned orange juice is determined by the following method:

(1) *Equipment*. Oil separatory trap similar to either of those illustrated in Figure 1 or Figure 2.²

Gas burner or hot plate.
Ringstand and clamps.
Rubber tubing.
3-liter narrow-neck flask.

(2) *Procedure*. (i) Place exactly 2 liters of juice in the 3-liter flask and insert the separatory trap. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Boiling is continued for one hour at the rate of approximately 50 drops per minute.

² Filed as part of the original document.

(ii) By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

(iii) The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

LOT CERTIFICATION TOLERANCES

§ 52.1561 *Tolerances for certification of officially drawn samples*. (a) When certifying samples that have been officially drawn and which represent a specific lot of canned orange juice the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) such containers meet all of the applicable grade requirements of the factors of quality that are not rated by score points; (2) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (3) with respect to those factors which are rated by score points:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers fails more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.1562 *Score sheet for canned orange juice*.

Size and kind of container.....		
Container mark or identification:		
Cans.....		
Cases.....		
Label (including ingredient statement, if any).....		
Liquid measure (fluid ounces).....		
Vacuum (inches).....		
Style.....		
Brix (degrees).....		
Acid (grams/100 ml.; calculated as anhydrous citric acid).....		
Brix-acid ratio (:).....		
Recoverable oil (% by volume).....		
Degree of coagulation:		
() None.....		
() Serious.....		
() Slight.....		
Factors		Score points
Color.....	40	(A) 34-40 (C) 28-33 (SStd) 0-27
		(A) 17-20 (C) 14-16 (SStd) 0-13
Absence of defects.....	20	(A) 34-40 (C) 28-33 (SStd) 0-27
Flavor.....	40	(A) 34-40 (C) 28-33 (SStd) 0-27
Total score.....	100	
Grade.....		

¹ Indicates limiting rule.

The United States Standards for Grades of Canned Orange Juice (which is the seventh issue) contained in this subpart shall become effective 30 days

after the date of publication hereof in the FEDERAL REGISTER and thereupon will supersede the United States Standards for Grades of Canned Orange Juice (7 CFR 52.1551-52.1563) which have been in effect since October 19, 1954.

Dated: February 8, 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 56-1098; Filed, Feb. 10, 1956;
8:48 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

[Sugar Determination 850.30, Amdt. 2]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

PROPORTIONATE SHARES FOR 1956 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area for the 1956 Crop, issued September 21, 1955 (20 F. R. 7159), as amended November 23, 1955 (20 F. R. 8772), is hereby amended as follows:

The date for South Dakota as shown in paragraph (e) of § 850.30 is changed from March 30, 1956, to February 17, 1956.

Statement of bases and considerations. It now appears that the closing date of March 30, 1956, as specified in the original determination for filing requests for 1956-crop proportionate shares in South Dakota, would not provide adequate time for establishing such shares, furnishing notices thereof to farm operators and arranging for sugar beet plantings in accordance therewith. Therefore, this amendment changes the date to February 17, 1956. Since the sign-up of requests began early in January, it is expected that all requests will be filed before the revised date.

Accordingly, I hereby find and conclude that the foregoing amendment to the determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932, 7 U. S. C. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132.)

Issued this 7th day of February 1956.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 56-1086; Filed, Feb. 10, 1956;
8:48 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

Subchapter A—Marketing Orders

[Navel Orange Reg. 74]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.374 *Navel Orange Regulation*
74—(a) Findings. (1) Pursuant to the

marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on February 9, 1956, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) Order. (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., February 12, 1956, and ending at 12:01 a. m., P. s. t., February 19, 1956, is hereby fixed as follows:

- (i) District 1: 462,000 cartons;
- (ii) District 2: 462,000 cartons;
- (iii) District 3: Unlimited movement;
- (iv) District 4: Unlimited movement.

(2) Navel oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," and "District 4" have the same meaning as when used in said amended marketing agreement and order; and "carton" means the standard one-half orange, grapefruit, or lemon box set forth as standard container number 58 in section 828.83, as amended, of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 10, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-1157; Filed, Feb. 10, 1956;
11:38 a. m.]

[945.301 Amdt. 3]

PART 945—TOMATOES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

Findings. a. Pursuant to Marketing Agreement No. 125 and Order No. 45 (7 CFR Part 945; 20 F. R. 7357), regulating the handling of tomatoes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Florida Tomato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

b. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of tomatoes, in the manner set forth below, on and after the effective date of this amendment, (iii) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (iv) reasonable time is permitted, under the circumstances, for such preparation, and (v) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

Order, as amended. The provisions of § 945.301 (b) (1) (20 F. R. 8808, 21 F. R. 724) are hereby amended as follows:

(1) During the period from February 13, 1956, to May 31, 1956, both dates inclusive, no person shall handle tomatoes

of any variety grown in the production area unless such tomatoes are of a size not smaller than 1½ inches minimum diameter and meet the requirements of the U. S. No. 2 or better grade except for growth cracks, catfaces, and scars. For purposes of these exceptions: (i) Growth cracks shall be well healed and no individual crack shall exceed 1 inch in length or ¼ inch in depth and the aggregate length of all cracks shall not exceed 2 inches; (ii) catfaces shall not have channels extending into the locules, and the aggregate area of fairly smooth catfaces shall not exceed that of a circle 1 inch in diameter on a tomato 2½ inches in diameter (smaller tomatoes shall have proportionately lesser areas and larger tomatoes may have proportionately greater areas); and (iii) scars (other than catfaces) shall not have an aggregate area exceeding that of a circle 1 inch in diameter on a tomato 2½ inches in diameter (smaller tomatoes shall have proportionately lesser areas of scars and larger tomatoes may have proportionately greater areas of scars). Not more than a total of 10 percent, by count, of the tomatoes in any lot may fail to meet the requirements of the U. S. No. 2 grade as modified by the preceding sentence of this subparagraph. Not more than 5 percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 9th day of February 1956, to become effective February 13, 1956.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 56-1109; Filed, Feb. 10, 1956;
8:51 a. m.]

[Lemon Reg. 628]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.735 *Lemon Regulation 628*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 20 F. R. 8451), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the pub-

lic interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on February 8, 1956, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 12, 1956, and ending at 12:01 a. m., P. s. t., February 19, 1956, is hereby fixed as follows:

- (i) District 1: 27,900 cartons;
- (ii) District 2: 172,050 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," and "District 3" have the same meaning as when used in the said amended marketing agreement and order; and "carton" means the standard one-half orange, grapefruit or lemon box set forth as standard container number 58 in section 828.83, as amended, of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 9, 1956.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-1131; Filed, Feb. 10, 1956;
8:52 a. m.]

Subchapter B—Prohibition of Imported Commodities

[Tomato Reg.; Amdt. 2]

PART 1065—TOMATOES

TOMATO REGULATION NO. 1

Pursuant to the authority vested in me under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 3; as amended 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), paragraph (b) of § 1065.1 *Tomato Regulation No. 1* (20 F. R. 9817, 21 F. R. 832) is hereby amended to read as follows:

(b) During the period from March 1, 1956, to May 31, 1956, both dates inclusive, and subject to the general regulations (Part 1060 of this chapter; 19 F. R. 7707, 8012) applicable to the importation of listed commodities and the requirements of this section, no person shall import any tomatoes of any variety unless such tomatoes are of a size not smaller than 1½ inches minimum diameter and meet the requirements of the U. S. No. 2 or better grade except for growth cracks, catfaces, and scars. For purposes of these exceptions: (1) Growth cracks shall be well healed and no individual crack shall exceed 1 inch in length or ¼ inch in depth and the aggregate length of all cracks shall not exceed 2 inches; (2) catfaces shall not have channels extending into the locules, and the aggregate area of fairly smooth catfaces shall not exceed that of a circle 1 inch in diameter on a tomato 2½ inches in diameter (smaller tomatoes shall have proportionately lesser areas and larger tomatoes may have proportionately greater areas); and (3) scars (other than catfaces) shall not have an aggregate area exceeding that of a circle 1 inch in diameter on a tomato 2½ inches in diameter (smaller tomatoes shall have proportionately lesser areas of scars and larger tomatoes may have proportionately greater areas of scars). Not more than a total of 10 percent, by count, of the tomatoes in any lot may fail to meet the requirements of the U. S. No. 2 grade as modified by the preceding sentence of this paragraph. Not more than 5 percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter.

Findings. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment later than March 1, 1956 (5 U. S. C. 1001 et seq.), in that (a) the requirements established by this import regulation were issued pursuant to section 8e of the act which makes such regulation mandatory; (b) a similar amendment to the grade, size, and quality regulations now in effect on domestic shipments of tomatoes pursuant to Order No. 45 (7 CFR 945.301; 20 F. R. 8295, 8808, 10129, 21 F. R. 724) will become effective on February 13, 1956; and (c) notice hereof in excess of three days, the minimum prescribed by said section 8e, is given with respect to this amendment.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c. Interprets or applies sec. 401, 68 Stat. 906; 7 U. S. C. 608e-1)

Done at Washington, D. C., this 9th day of February 1956 to become effective March 1, 1956.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 56-1110; Filed, Feb. 10, 1956;
8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Civil Air Regs., Amdt. 3-14]

PART 3—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, AND ACROBATIC CATEGORIES

MISCELLANEOUS AMENDMENTS RESULTING FROM 1955 ANNUAL AIRWORTHINESS REVIEW

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 7th day of February 1956.

There are contained herein amendments with respect to various issues which resulted from the 1955 Annual Airworthiness Review.

Structural failures experienced in the past with small airplanes in the high speed range strongly indicate the inappropriateness of relating a reduction in the maneuvering load factor with any feature of an airplane intended to improve safety only in the low speed range. Therefore, the provision in § 3.186 which permits a reduction of the maximum maneuvering load factor limitation of 3.8 to 3.5 for airplanes incapable of spinning is being deleted.

The currently effective provisions of § 3.242 permit the design landing weight to be less than the maximum certificated weight only for multiengine airplanes which meet the one-engine-inoperative climb, provided such airplanes comply with the fuel jettisoning and certain ground loads and landing gear requirements of Part 4b. All other airplanes are required to comply with all of the ground load requirements at the maximum weight, and experience has shown that this requirement was critical in most instances for such airplanes with respect to the establishment of the maximum weight. It is believed that this requirement has restricted unduly the utility of small airplanes. Accordingly, § 3.242 is being amended to permit, under certain conditions, the design landing weight of all small airplanes to be as low as 95 percent of the maximum weight.

There is being included a new requirement, § 3.330, with respect to the structural design of supporting structure and the attachment of concentrated mass balance weights incorporated on control surfaces.

Section 3.344 is being amended to require the incorporation of design features or the marking of flight control system elements to minimize the possibility of incorrect assembly. For this same purpose,

the fuel valve provisions of § 3.551 are being amended.

The currently effective requirements of § 3.390 with respect to the restraining of occupants in berths by safety belts are considered unrealistic. These provisions are being changed by an amendment which excludes safety belts in berths from compliance with the forward acceleration prescribed for an emergency landing, and instead, requires such forward load with respect to occupants in berths to be reacted by means of a padded end board, a canvas diaphragm, or other equivalent means.

Section 3.431 is being amended to require independence of the fuel system for each engine on all multiengine airplanes.

The currently effective provisions of § 3.624 (a) permit the use of fire-resistant rather than fireproof materials for sealing fire-wall openings on unsupercharged engines. On the basis of present engine design, it is believed that the degree of fire hazard is more closely related to the total engine displacement than to whether or not the engine is supercharged. In view of this, there is being included an amendment which permits the use of fire-resistant sealing of fire walls in installations equipped with engines having a maximum displacement of 1,000 cubic inches or less.

Section 3.702 is being amended to make the intensity requirements for the forward red and green position lights and the rear white position light consistent with the requirements prescribed for these lights in Part 4b.

Section 3.771 is being changed to require placarding of the maneuvering air speed.

There are included also a few minor changes which are editorial or clarifying in nature.

Interested persons have been afforded an opportunity to participate in the making of this amendment (20 F. R. 8350), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 3 of the Civil Air Regulations (14 CFR Part 3, as amended) effective March 13, 1956:

1. By amending § 3.186 (a) by deleting the following sentence: "For airplanes certificated as characteristically incapable of spinning, n need not exceed 3.5." and the reference "(see Fig. 3-2)".

2. By deleting Figure 3-2.

3. By amending § 3.242 to read as follows:

§ 3.242 *Design weight.* The design landing weight shall not be less than the maximum weight for which the airplane is to be certificated, except as provided in paragraph (a) or (b) of this section.

(a) A design landing weight equal to not less than 95 percent of the maximum weight shall be acceptable if it is demonstrated that the structural limit load values at the maximum weight are not exceeded when the airplane is operated over terrain having the degree of roughness to be expected in service at all speeds up to the takeoff speed. In addition, the following shall apply:

(1) The minimum fuel capacity shall not be less than the total of the capacity prescribed in § 3.440 and of the capacity equivalent to the weight of fuel equal in amount to that by which the maximum weight exceeds the design landing weight.

(2) The operating limitations shall limit the take-off weight in such a manner as to assure that landings in normal operation would not exceed the design landing weight.

(b) A design landing weight equal to less than 95 percent of the maximum weight shall be acceptable for multi-engine airplanes, meeting the one-engine-inoperative climb requirement of § 3.85 (b) or § 3.85a (b) if compliance is shown with the following sections of Part 4b of this subchapter in lieu of the corresponding requirement of this part: The ground load requirements of § 4b.230, the landing gear requirements of §§ 4b.331 through 4b.336, and the fuel jettisoning system requirements of § 4b.437.

4. By amending Figure 3-12 (a) by deleting the term " n " from all columns in the two lines titled "Main wheel loads (both wheels) (V_r)" and "Tail (nose) wheel loads (V_f)" and inserting in lieu thereof in each instance the term " $(n-L)$ ".

5. By amending Figure 3-12 (a) by deleting the term " KV_r " from the first and fourth columns of the line titled "Main wheel loads (both wheels) (D_r)" and inserting in lieu thereof in each instance the term " KnW ".

6. By amending Figure 3-12 (a) by deleting the term " KV_r " from the third column of the line titled "Main wheel loads (both wheels) (D_r)" and inserting in lieu thereof the term " $KnW a/d$ ".

7. By amending Figure 3-12 (a) by deleting the term " KV_f " from the third column of the line titled "Tail (nose) wheel loads (D_f)" and inserting in lieu thereof the term " $KnW b/d$ ".

8. By amending Figure 3-12 (a) by adding a new note to read as follows:

NOTE (4): L is defined in § 3.353.

9. By adding a new § 3.330 to read as follows:

§ 3.330 *Mass balance weights.* The supporting structure and the attachment of concentrated mass balance weights which are incorporated on control surfaces shall be designed for the following limit accelerations: 24g normal to the plane of the control surface, 12g fore and aft, and 12g parallel to the hinge line.

10. By amending § 3.344 by adding a new sentence at the end thereof to read as follows: "The elements of the flight control system shall incorporate design features or shall be distinctively and permanently marked to minimize the possibility of incorrect assembly, which could result in malfunctioning of the control system."

11. By amending § 3.390 to read as follows:

§ 3.390 *Seats and berths.* All seats and berths shall be of an approved type. They and their supporting structures shall be designed for an occupant weighing at least 170 pounds (190 pounds with

parachute for seats intended for the acrobatic and utility categories) and for the maximum load factors corresponding with all specified flight and ground load conditions including the emergency landing conditions prescribed in § 3.386. The provisions of paragraphs (a) through (d) of this section shall also apply:

(a) Pilot seats shall be designed for the reactions resulting from the application of pilot forces to the primary flight controls as prescribed in § 3.231.

(b) All seats in the U and A categories shall be designed to accommodate passengers wearing parachutes, unless placarded in accordance with § 3.74 (b).

(c) Berths shall be so designed that the forward portion is provided with a padded end board, a canvas diaphragm, or other equivalent means, capable of withstanding the static load reaction of the occupant when subjected to the forward accelerations prescribed in § 3.386. Berths shall be provided with an approved safety belt and shall be free from corners or protuberances likely to cause serious injury to a person occupying the berth during emergency conditions. Berth safety belt attachments shall withstand the critical loads resulting from all relevant flight and ground load conditions and from the emergency landing conditions of § 3.386 with the exception of the forward load.

(d) In determining the strength of the attachment of the seat and berth to the structure, the accelerations prescribed in § 3.386 shall be multiplied by a factor of 1.33.

12. By deleting § 3.391.

13. By amending § 3.431 by deleting from the first sentence the following clause: "which are required to comply with the provisions of §§ 3.85 (b) or 3.85a (b)".

14. By amending § 3.431 by deleting the last sentence and inserting in lieu thereof the following note:

NOTE: It is not necessarily intended that fuel tanks proper be separate for each engine if a common tank is provided with separate outlets and the remainder of the fuel system is independent.

15. By amending § 3.551 by adding a new paragraph (d) to read as follows:

§ 3.551 Fuel valves. * * *

(d) Fuel valve handles and their connections to the valve mechanism shall incorporate design features to minimize the possibility of incorrect installation.

16. By amending § 3.624 (a) to read as follows:

§ 3.624 Fire wall construction. (a) Fire walls and shrouds shall be constructed in such a manner that no hazardous quantity of liquids, gases, or flame could pass from the engine compartment to other portions of the airplane. All openings in the fire wall or shroud shall be sealed tight with fire-proof grommets, bushings, or fire-wall fittings, except that, such seals of fire-resistant materials shall be acceptable for use on single-engine airplanes and multiengine airplanes not required to

comply with § 3.85 (b) or § 3.85a (b), if such airplanes are equipped with engine(s) having a volumetric displacement of 1,000 cubic inches or less; and if the openings in the fire walls or shrouds are such that, without seals, the passage of a hazardous quantity of flame could not result.

17. By amending § 3.702 to read as follows:

§ 3.702 Position light distribution and intensities—(a) General. The intensities prescribed in this section are those to be provided by new equipment with all light covers and color filters in place. Intensities shall be determined with the light source operating at a steady value equal to the average luminous output of the light source at the normal operating voltage of the airplane. The light distribution and intensities of position lights shall comply with the provisions of paragraph (b) of this section.

(b) Forward and rear position lights. The light distribution and intensities of forward and rear position lights shall be expressed in terms of minimum intensities in the horizontal plane, minimum intensities in any vertical plane, and maximum intensities in overlapping beams within dihedral angles L, R, and A, and shall comply with the provisions of subparagraphs (1) through (3) of this paragraph.

(1) Intensities in horizontal plane. The intensities in the horizontal plane shall not be less than the values given in Figure 3-15. (The horizontal plane is the plane containing the longitudinal axis of the airplane and is perpendicular to the plane of symmetry of the airplane.)

(2) Intensities above and below horizontal. The intensities in any vertical plane shall not be less than the appropriate value given in Figure 3-16, where I is the minimum intensity prescribed in Figure 3-15 for the corresponding angles in the horizontal plane. (Vertical planes are planes perpendicular to the horizontal plane.)

(3) Overlaps between adjacent signals. The intensities in overlaps between adjacent signals shall not exceed the values given in Figure 3-17, except that higher intensities in the overlaps shall be acceptable with the use of main beam intensities substantially greater than the minima specified in Figures 3-15 and 3-16 if the overlap intensities in relation to the main beam intensities are such as not to affect adversely signal clarity.

18. By adding Figures 3-15 through 3-17.

Dihedral angle (light involved)	Angle from right or left of longitudinal axis, measured from dead ahead	Intensity (candles)
L and R (forward red and green)	10° to 15°	40
	15° to 20°	30
	20° to 110°	5
A (rear white)	110° to 180°	20

FIGURE 3-15—Minimum intensities in the horizontal plane of forward and rear position lights.

Angle above or below horizontal	Intensity
0°	1.00 I
0° to 5°	0.90 I
5° to 10°	0.80 I
10° to 15°	0.70 I
15° to 20°	0.50 I
20° to 30°	0.30 I
30° to 40°	0.10 I
40° to 90°	At least 2 candles.

FIGURE 3-16—Minimum intensities in any vertical plane of forward and rear position lights.

Overlaps	Maximum intensity	
	Area A (candles)	Area B (candles)
Green in dihedral angle L	10	1
Red in dihedral angle R	10	1
Green in dihedral angle A	5	1
Red in dihedral angle A	5	1
Rear white in dihedral angle L	5	1
Rear white in dihedral angle R	5	1

NOTE: Area A includes all directions in the adjacent dihedral angle which pass through the light source and which intersect the common boundary plane at more than 10 degrees but less than 20 degrees. Area B includes all directions in the adjacent dihedral angle which pass through the light source and which intersect the common boundary plane at more than 20 degrees.

FIGURE 3-17—Maximum intensities in overlapping beams of forward and rear position lights.

19. By amending § 3.715 by adding a new sentence at the end thereof to read as follows: "In the case of safety belts for berths, the forward load factor need not be applied."

20. By amending § 3.771 by adding a new paragraph (c) to read as follows:

§ 3.771 Airspeed placards. * * *

(c) Rough air or maneuvering speed determined in accordance with § 3.741.

(Sec. 205, 52 Stat. 984, 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, as amended, 49 U. S. C. 551, 553)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 56-1102; Filed, Feb. 10, 1956; 8:49 a. m.]

[Civil Air Regs., Amdt. 4b-3]

PART 4b—AIRPLANE AIRWORTHINESS;
TRANSPORT CATEGORIES

MISCELLANEOUS AMENDMENTS RESULTING
FROM 1955 ANNUAL AIRWORTHINESS
REVIEW

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 7th day of February 1956.

There are contained herein amendments with respect to various issues which resulted from the 1955 Annual Airworthiness Review.

With respect to the flight provisions, § 4b.112 is being amended to permit the use of minimum speed attained during the stall demonstration in determining the required climb and § 4b.160 is being amended to permit determination of the demonstration stall speed in terms of the stall warning speed.

The currently effective gust load requirements are based on wing loading. Research in past years indicated that

gust loads are more closely a function of mass parameter than of wing loading. For this reason, there is being included an amendment incorporating the more up-to-date concept of "mass parameter" in the gust load requirements.

In new § 4b.270 there is included a rule which establishes more specific criteria for fatigue evaluation of flight structure, including pressurized cabins. Among other amendments relative to the structural provisions there is a change to § 4b.210 (c) which establishes more realistic criteria for evaluating the strength of the airplane at weights in the vicinity of the zero fuel weight. The new criteria for zero fuel weight are applicable only in conjunction with the application of the new gust load and fatigue evaluation criteria. There are also included amendments which require accounting for compressibility effects at all speeds, the establishment of detailed conditions for the evaluation of gyroscopic loads imposed on engine mounts, and consideration of thermal effects on the structure.

There is an amendment to § 4b.230 (b) which permits, in showing compliance with the ground load requirements, the use of wing lift equal to the weight of the airplane instead of only two-thirds of the weight as is prescribed by the currently effective regulations. To compensate for the relaxatory effect of this amendment, other complementary changes are being made in several of the other ground load requirements.

Three changes are being made with respect to provisions pertaining to control surfaces and their control systems. Two of these entail changes to § 4b.320 which require incorporation of design features or the marking of control system elements to minimize the possibility of incorrect assembly and which require tab control system designs to be such that a failure of any element would not jeopardize the safety of flight. The third change is to § 4b.324 which requires application of the fail safe philosophy to flap actuating systems incorporating a mechanical interconnection to assure against hazardous unsymmetrical flap extension.

There is included a change to § 4b.336 which establishes more up-to-date criteria for the selection of landing gear tires.

The currently effective requirements of § 4b.358 with respect to the restraining of occupants in berths by safety belts are considered unrealistic. A change in these provisions is being made, which excludes safety belts in berths from compliance with the forward inertia load prescribed for emergency landings, and instead, requires that such load with respect to berth occupants be reacted by means of a padded end board, a canvas diaphragm, or other equivalent means.

In addition, there are included other changes which are relatively minor, clarifying, or of an editorial nature.

Interested persons have been afforded an opportunity to participate in the making of this amendment (20 F. R. 8350),

and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 4b of the Civil Air Regulations (14 CFR Part 4b, as amended) effective March 13, 1956:

1. By amending § 4b.104 (a) by deleting the words "total quantity of engine coolant,".

2. By amending § 4b.104 (b) by deleting the words "fuel, oil, and coolant tanks" and inserting in lieu thereof the words "fuel and oil tanks".

3. By amending § 4b.112 (c) to read as follows:

§ 4b.112 *Stalling speeds.* * * *

(c) The stall speeds defined in this section shall be the minimum speeds obtained in flight tests conducted in accordance with the procedure of subparagraphs (1) and (2) of this paragraph.

(1) With the airplane trimmed for straight flight at a speed of $1.4 V_{S1}$ and from a speed sufficiently above the stalling speed to assure steady conditions, the elevator control shall be applied at a rate such that the airplane speed reduction does not exceed one mile per hour per second.

(2) During the test prescribed in subparagraph (1) of this paragraph, the flight characteristics provisions of § 4b.160 shall be complied with.

4. By amending the introductory paragraph of § 4b.160 (c) (2) to read as follows:

§ 4b.160 *Stalling; symmetrical power.* * * *

(c) * * *

(2) The airplane shall be considered stalled when, at an angle of attack measurably greater than that of maximum lift, the inherent flight characteristics give a clear indication to the pilot that the airplane is stalled, except that for airplanes demonstrating unmistakable inherent aerodynamic warning associated with the stall in all required configurations, the speed need not be reduced below a value which provides an adequate stall warning margin as defined in § 4b.162.

5. By amending the Note in § 4b.160 (c) (2) by adding a new sentence at the end thereof to read as follows: "Types of inherent aerodynamic warning considered acceptable include characteristics such as buffeting, small amplitude pitch or roll oscillations, distinctive shaking of the pilots' controls, etc."

6. By amending § 4b.202 by adding a new paragraph (d) to read as follows:

§ 4b.202 *Proof of structure.* * * *

(d) Proof of compliance of the structure with the fatigue evaluation requirements of § 4b. 270 shall be made.

7. By amending Figure 4b-1 by deleting the speed " $1.3 V_{S1}$ " from the abscissa scale and the straight line it identifies, and by deleting the term " $0.8 V_{S1}$ " associated with the V_{Cmin} curve and inserting in lieu thereof the following: "Mach Number Selected by Applicant."

8. By amending § 4b.210 by deleting the last sentence in the introductory paragraph and inserting in lieu thereof the following: "Compressibility effects shall be taken into account at all speeds."

9. By amending § 4b.210 (b) (3) to read as follows:

§ 4b.210 *General.* * * *

(b) *Design air speeds.* * * *

(3) *Design speed for maximum gust intensity, V_B .* V_B shall be either the speed determined by the intersection of the line representing the maximum positive lift C_{Nmax} and the line representing the rough air gust velocity on the gust $V-n$ diagram or $(\sqrt{n_g}) V_{S1}$, whichever is the lesser; where n_g is the positive airplane gust load factor due to gust at speed V_C in accordance with § 4b.211 (b) (2) at the particular weight under consideration and V_{S1} is the stalling speed with flaps retracted at the particular weight under consideration. V_B need not be greater than V_C .

10. By amending § 4b.210 by adding a new paragraph (c) to read as follows:

§ 4b.210 *General.* * * *

(c) *Design fuel loads.* The disposable load combinations shall include all fuel loads in the range from zero fuel to the maximum fuel load selected by the applicant. It shall be permissible for the applicant to select a structural reserve fuel condition not exceeding 45 minutes of fuel under operating conditions defined in § 4b.437 (c). If a structural reserve fuel condition is selected, it shall be used as the minimum fuel weight condition for showing compliance with the flight load requirements as prescribed in this subpart, in which case, the provisions of subparagraphs (1) through (3) of this paragraph shall apply.

(1) The structure shall be designed for a condition of zero fuel at limit loads corresponding with:

(i) A maneuver load factor of $+2.25$, and

(ii) Gust intensities equal to 85 percent of the values prescribed in § 4b.211 (b).

(2) Fatigue evaluation of the structure shall take into account any increase in operating stresses resulting from the design condition of subparagraph (1) of this paragraph (see § 4b.270).

(3) The flutter, deformation, and vibration requirements shall also be met with zero fuel (see § 4b.308).

11. By amending Figure 4b-3 by deleting the references "+40K FPS Gust", "+30K", "+15K", "-15K", "-30K", and "-40K", and inserting in lieu thereof, respectively, the following: "Gust Line for V_B Speed", "Gust Line for V_C Speed", "Gust Line for V_D Speed", "Gust Line for V_E Speed", "Gust Line for V_F Speed", and "Gust Line for V_G Speed".

12. By amending § 4b.211 (b) to read as follows:

§ 4b.211 *Flight envelopes.* * * *

(b) *Gust load factors.* The airplane shall be assumed to be subjected to symmetrical vertical gusts while in level flight. The resulting limit load factors shall correspond with the conditions pre-

scribed in subparagraphs (1) through (5) of this paragraph. The shape of the gust shall be assumed to be:

$$U = \frac{U_{de}}{2} \left(1 - \cos \frac{2\pi s}{25\bar{C}} \right)$$

where:

s = distance penetrated into gust (ft.);

$\bar{C}$ = mean geometric chord of wing (ft.);

U_{de} = derived gust velocity referred to in subparagraphs (1) through (3) of this paragraph (fps).

(1) Positive (up) and negative (down) rough air gusts of 66 fps at the speed V_B shall be considered at altitudes between sea level and 20,000 feet. At altitudes above 20,000 feet, it shall be acceptable to reduce the gust velocity linearly from 66 fps at 20,000 feet to 38 fps at 50,000 feet.

(2) Positive and negative gusts of 50 fps at the speed V_C shall be considered at altitudes between sea level and 20,000 feet. At altitudes above 20,000 feet, it shall be acceptable to reduce the gust velocity linearly from 50 fps at 20,000 feet to 25 fps at 50,000 feet.

(3) Positive and negative gusts of 25 fps at the speed V_D shall be considered at altitudes between sea level and 20,000 feet. At altitudes above 20,000 feet, it shall be acceptable to reduce the gust velocity linearly from 25 fps at 20,000 feet to 12.5 fps at 50,000 feet.

(4) Gust load factors shall be assumed to vary linearly between the specified conditions B' through G', as shown on the gust envelope of Figure 4b-3.

(5) In the absence of a more rational analysis, the gust load factors shall be computed in accordance with the following formula:

$$n = 1 + \frac{K_g U_{de} V_a}{498 (W/S)}$$

where:

$K_g = \frac{0.88\mu_g}{5.3 + \mu_g}$ = gust alleviation factor;

$\mu_g = \frac{2(W/S)}{\rho \bar{C} a_g}$ = airplane mass ratio;

U_{de} = derived gust velocities referred to in subparagraphs (1) through (3) of this paragraph (fps);

ρ = density of air (slugs/cu. ft.);

W/S = wing loading (psf);

$\bar{C}$ = mean geometric chord (ft.);

a_g = acceleration due to gravity (ft./sec.²);

V = airplane equivalent speed (knots);

a = slope of the airplane normal force coefficient curve C_{N_A} per radian.

If the gust loads are applied to the wings and horizontal tail surfaces simultaneously by a rational method. It shall be acceptable to use the wing lift curve slope C_L per radian when the gust load is applied to the wings only and the horizontal tail gust loads are treated as a separate condition.

13. By amending § 4b.212 (a) (2) by deleting "15 fps nominal intensity" and inserting in lieu thereof the following: "25 fps derived".

14. By amending § 4b.212 (b) (2) to read as follows:

§ 4b.212 *Effect of high lift devices.*

• • • • •

(b) • • • • •

(2) Positive and negative derived gusts as prescribed in § 4b.211 (b) acting normal to the flight path in level flight.

15. By amending § 4b.212 (c) by deleting the last sentence and inserting in lieu thereof the following: "For other than tractor type airplanes, a head-on gust equivalent to the intensity prescribed in § 4b.211 (b) (3) with no alleviations acting along the flight path shall be considered."

16. By amending § 4b.213 (d) (3) by deleting the term "K" and inserting in lieu thereof "K_g".

17. By amending § 4b.215 (b) to read as follows:

§ 4b.215 *Yawing conditions.* • • •

(b) *Lateral gusts.* The airplane shall be assumed to encounter derived gusts normal to the plane of symmetry while in unaccelerated flight. The derived gusts and airplane speeds corresponding with conditions B' through J' on Figure 4b-3 as determined by §§ 4b.211 (b) and 4b.212 (a) (2) or § 4b.212 (b) (2) shall be investigated. The shape of the gust shall be as specified in § 4b.211 (b). In the absence of a rational investigation of the airplane's response to a gust, it shall be acceptable to compute the gust loading on the vertical tail surfaces by the following formula:

$$L_t = \frac{K_{gt} U_{de} V_a S_t}{499}$$

where:

L_t = vertical tail load, (lbs.);

$K_{gt} = \frac{0.88\mu_{gt}}{5.3 + \mu_{gt}}$ = gust alleviation factor;

$\mu_{gt} = \frac{2W}{\rho \bar{C}_t g a_t S_t} \left(\frac{K}{l_t} \right)^2$ = lateral mass ratio;

U_{de} = derived gust velocity (fps);

ρ = air density (slugs/cu. ft.);

W = airplane weight (lbs.);

S_t = area of vertical tail (ft.²);

$\bar{C}_t$ = mean geometric chord of vertical surface (ft.);

a_t = lift curve slope of vertical tail (per radian);

K = radius of gyration in yaw (ft.);

l_t = distance from airplane C. G. to lift center of vertical surface (ft.);

g = acceleration due to gravity (ft./sec.²);

V = airplane equivalent speed (knots).

18. By amending § 4b.216 (c) (1) by adding a new sentence at the end thereof to read as follows: "Stress concentration and fatigue effects shall be accounted for in the design of pressure cabins (see § 4b.270)."

19. By amending § 4b.216 (c) (3) by deleting from the first sentence the following words: "to provide for such effects as fatigue and stress concentrations."

20. By amending § 4b.216 by adding a new paragraph (e) to read as follows:

§ 4b.216 *Supplementary flight conditions.* • • •

(e) *Gyroscopic loads.* The structure supporting the engines shall be designed for gyroscopic loads associated with the conditions specified in §§ 4b.213 through 4b.215 with the engines operating at maximum continuous rpm.

21. By amending § 4b.230 (b) (1) by deleting the words "when landing the airplane" and inserting in lieu thereof the words "in the attitude and subject to the drag loads associated with the particular landing condition, and".

22. By amending § 4b.230 (b) (2) by deleting the words "two-thirds of".

23. By amending § 4b.231 (a) by deleting the first sentence and inserting in lieu thereof the following: "In the level attitude the airplane shall be assumed to contact the ground at forward velocity components parallel to the ground ranging from V_{L_1} to $1.25 V_{L_2}$ and shall be assumed to be subjected to the load factors prescribed in § 4b.230 (b) (1) where V_{L_1} is equal to V_{s_0} (TAS) at the appropriate landing weight and in standard sea level conditions and where V_{L_2} is equal to V_{s_0} (TAS) at the appropriate landing weight and altitudes in a hot day temperature of 41° F. above standard.

24. By amending § 4b.231 (a) by deleting from the second sentence the clause "or landings at elevations higher than 5,000 feet".

25. By amending § 4b.231 (a) by deleting the last sentence from subparagraphs (1) and (3) and inserting in lieu thereof in each instance the following: "It shall be acceptable to apply this condition only to the landing gear, directly affected attaching structure, and large mass items (i. e. external fuel tanks, nacelles, etc.)."

26. By amending the introductory paragraph of § 4b.232 to read as follows:

§ 4b.232 *Tail-down landing conditions.* In the conditions of paragraphs (a) and (b) of this section the airplane shall be assumed to contact the ground at forward velocity components parallel to the ground, ranging from V_{L_1} to V_{L_2} , where V_{L_1} and V_{L_2} are as indicated in § 4b.231 (a). The load factors prescribed in § 4b.230 (b) (1) shall apply. The combination of vertical and drag components specified in § 4b.231 (a) (1) and (3) shall be considered acting at the main wheel axle centerline.

27. By amending Figures 4b-8 and 4b-9 by deleting in four instances the numerical value "2/3" from the expression "2/3W (Total)".

28. By amending Figure 4b-9 by showing in two instances a horizontal drag component " D_M " acting at the main wheel axle centerline.

29. By amending Figure 4b-10 by deleting the term " $W/3$ " in two instances and inserting in lieu thereof the term " $W/2$ ".

30. By amending Figure 4b-11 by deleting the term " $W/3$ " in two instances and inserting in lieu thereof the term " $W/2$ ", by deleting from the expression " $2V_M + 0.67W$ " the numerical value "0.67", and by deleting from the expression " $V_M = 0.25 (n - 0.67) W$ " the numerical value "0.67" and inserting in lieu thereof the value "1.0".

31. By adding a new § 4b.234a to read as follows:

§ 4b.234a *Rebound landing condition.* The landing gear and its supporting structure shall be investigated for the loads occurring during rebound of the airplane from the landing surface. With the landing gear fully extended and not in contact with the ground, a load factor of 20.0 shall act on the unsprung

weights of the landing gear. This load factor shall act in the direction of motion of the unsprung weights as they reach their limiting positions in extending with relation to the sprung portions of the landing gear.

32. By amending § 4b.235 by adding new paragraphs (g) and (h) to read as follows:

§ 4b.235 Ground handling conditions.

(g) *Reversed braking.* The airplane shall be in a three point static ground attitude. Horizontal reactions parallel to the ground and directed forward shall be applied at the ground contact point of each wheel equipped with brakes. The limit loads shall be equal either to 0.55 times the vertical load at each wheel or to the load developed by 1.2 times the nominal maximum static brake torque, whichever is the lesser. For nosewheel types, the pitching moment shall be balanced by rotational inertia. For tail-wheel types, the resultant of the ground reactions shall pass through the center of gravity of the airplane.

(h) *Towing loads.* Towing loads shall be those specified in Figure 4b-26, considering each condition separately. These loads shall be applied at the towing fittings and shall act parallel to the ground. A vertical load factor equal to 1.0 shall be considered acting at the center of gravity. The shock struts and tires shall be in their static positions. The towing load, F_{tow} , shall be defined as equal to $0.3W_r$ for W_r less than 30,000 pounds, equal to $\frac{6W_r + 450,000}{70}$ for

W_r between 30,000 and 100,000 pounds and equal to $0.15W_r$ for W_r over 100,000 pounds, where W_r is the design maximum take-off weight. For towing points not on the landing gear but located near the plane of symmetry of the airplane, the drag and side tow load components specified for the auxiliary gear shall apply. For tow points located outboard of the main gear, the drag and side tow load components specified for the main gear shall apply. In cases where the specified angle of swivel cannot be obtained, the maximum obtainable angle shall be used.

33. By adding a new Figure 4b-26.

34. By adding a new heading and a new § 4b.270 to read as follows:

FATIGUE EVALUATION

§ 4b.270 *General.* The strength, detail design, and fabrication of those portions of the airplane's flight structure in which fatigue may be critical shall be evaluated in accordance with the provisions of either paragraph (a) or (b) of this section.

(a) *Fatigue strength.* The structure shall be shown by analysis and/or tests to be capable of withstanding the repeated loads of variable magnitude expected in service. The provisions of subparagraphs (1) through (3) of this paragraph shall apply.

(1) Evaluation of fatigue shall involve the following:

(i) Typical loading spectrum expected in service;

(ii) Identification of principal structural elements and detail design points, the fatigue failure of which could cause catastrophic failure of the aircraft; and

(iii) An analysis and/or repeated load tests of principal structural elements and detail design points, identified in subdivision (ii) of this subparagraph;

Tow point	Position	Load		
		Magnitude	No.	Direction
Main gear		0.75 F_{tow} per main gear unit.	1	Forward, parallel to drag axis.
			2	Forward, at 30° to drag axis.
			3	Aft, parallel to drag axis.
			4	Aft, at 30° to drag axis.
			5	Forward.
			6	Aft.
			7	Forward.
			8	Aft.
Auxiliary gear	Swiveled forward	1.0 F_{tow}	9	Forward, in plane of wheel.
	Swiveled aft	do.	10	Aft, in plane of wheel.
	Swiveled 45° from forward	0.5 F_{tow}	11	Forward, in plane of wheel.
	Swiveled 45° from aft	do.	12	Aft, in plane of wheel.

BALANCING FORCES

The side component of the towing load at the main gear is reacted by a side force at the static ground line at the wheel to which load is applied.

The towing loads at the auxiliary gear and the drag components of the towing loads at the main gear are reacted in each of the following ways:

a. Reaction applied at the axle of the wheel to which load is applied, this reaction having a maximum value equal to the vertical reaction. Airplane inertia is applied as required for equilibrium.

b. The loads reacted by airplane inertia.

FIGURE 4b-26—Towing loads.

NOTE: Usually tests of principal structural elements include major fittings, samples of joints, spar cap strips, skin units, and other representative sections of the flight structure.

(2) It shall be acceptable to utilize the service history of airplanes of similar structural design, taking due account of differences in operating conditions and procedures.

(3) When circumstances require substantiation of the pressure cabin by fatigue tests, the cabin or representative portions of it shall be cycle-pressure tested, utilizing the normal operating pressure together with the effects of external aerodynamic pressure combined with the flight loads. It shall be acceptable to represent the effects of flight loads by an increased cabin pressure, or to omit the flight loads if they are shown to have no significant effect upon fatigue.

(b) *Fail safe strength.* It shall be shown by analysis and/or tests that catastrophic failure or excessive structural deformation, which could adversely affect the flight characteristics of the airplane, are not probable after fatigue failure or obvious partial failure of a single principal structural element. After such failure, the remaining structure shall be capable of withstanding static loads corresponding with the flight loading condition specified in subparagraphs (1) and (2) of this paragraph. These loads shall be multiplied by a factor of 1.15 unless the dynamic effects of failure under static load are otherwise taken into consideration. In the case of a pressure cabin, the normal operating pressures combined with the expected external aerodynamic pressures shall be applied simultaneously with the flight loading conditions specified in this paragraph.

(1) An ultimate load factor of 2.0 at V_c .

(2) Gust loads as specified in § 4b.211 (b), except that these gust loads shall be considered to be ultimate and the gust velocities shall be as follows:

(i) At speed V_E , 49 fps from sea level to 20,000 feet altitude, thereafter decreasing linearly to 28 fps at 50,000 feet altitude.

(ii) At speed V_C , 33 fps from sea level to 20,000 feet altitude, thereafter decreasing linearly to 16.5 fps at 50,000 feet altitude.

(iii) At speed V_D , 15 fps from sea level to 20,000 feet altitude, thereafter decreasing linearly to 6 fps at 50,000 feet altitude.

35. By amending § 4b.306 (b) by adding a new sentence at the end thereof to read as follows: "The effects of temperature on allowable stresses used for design in an essential component or structure shall be considered where thermal effects are significant under normal operating conditions."

36. By amending § 4b.306 (d) by adding at the end thereof the reference ("See also § 4b.270.")

37. By amending § 4b.320 to read as follows:

§ 4b.320 *General.* All controls and control systems shall operate with ease, smoothness, and positiveness appropriate to their function. The elements of the flight control system shall incorporate design features or shall be distinctively and permanently marked to minimize the possibility of incorrect assembly which could result in malfunctioning of the control system. Tab control systems shall be such that disconnection or failure of any element at speeds up to V_C cannot jeopardize the safety of flight. (See also §§ 4b.308, 4b.350, and 4b.353.)

38. By amending § 4b.324 (a) by adding a new sentence at the end thereof to read as follows: "When a mechanical interconnection is employed, means shall be provided to insure against hazardous unsymmetrical operation of the wing flaps after any reasonably possible single failure of the flap actuating system."

39. By amending § 4b.332 (b) (2) by deleting from the definition of "L" the

numerals "0.667" and inserting in lieu thereof the numerals "1.0".

40. By amending § 4b.336 to read as follows:

§ 4b.336 *Tires*. Landing gear tires shall be of a proper fit on the rim of the wheel, and of load ratings which are not exceeded under the following conditions:

(a) Main wheel tires: Equal static loads on all main wheel tires corresponding with the most critical combination of maximum take-off weight and center of gravity position.

(b) Nose wheel tires: Equal loads on all nose wheel tires corresponding with the following conditions:

(1) The static ground reaction per tire corresponding with the most critical combination of take-off weight and center of gravity position. This load shall correspond with the static rating of the tire.

(2) The dynamic ground reaction per tire at maximum landing weight, assuming the mass of the airplane concentrated at the most critical location of the center of gravity for this weight and exerting a force of 1.0g downward and 0.31g forward, the reactions being distributed to the nose and main wheels by the principles of statistics with a 0.31g drag reaction at the ground applied at those wheels which have brakes. This load shall correspond with the dynamic rating of the tire.

(3) The dynamic ground reaction per tire at design takeoff weight, assuming the mass of the airplane concentrated at the most critical location of the center of gravity for this weight, and exerting a force of 1.0g downward and 0.20g forward, the reactions being distributed to the nose and main wheels by the principles of statistics with a 0.20g drag reaction at the ground applied at those wheels which have brakes. This load shall correspond with the dynamic rating of the tire.

41. By amending § 4b.337 (a) (2) by deleting the word "connection" and inserting in lieu thereof the word "connecting".

42. By amending § 4b.358 (b) by adding a new subparagraph (4) to read as follows:

§ 4b.358 *Seats, berths, and safety belts*. . . .

(b) *Arrangement*. . . .

(4) Berths shall be so designed that the forward portion is provided with a padded end board, a canvas diaphragm, or other equivalent means, capable of withstanding the static load reaction of the occupant when subjected to the forward inertia force specified in § 4b.260. Berths shall be free from corners and protuberances likely to cause serious injury to a person occupying the berth during emergency conditions.

43. By amending § 4b.358 (c) by adding a new sentence between the first and second sentences to read as follows: "In the case of berths, the forward inertia force shall be considered in accordance with subparagraph (b) (4) of this section and need not be considered with respect to the safety belt."

44. By amending § 4b.386 (g) to read as follows:

§ 4b.386 *Combustion heater fire protection*. . . .

(g) *Heater exhaust*. Heater exhaust systems shall comply with the provisions of § 4b.467 (a) and (b). In addition, provisions shall be made in the design of the heater exhaust system so that the products of combustion will be safely conveyed overboard to prevent the occurrence of the following:

(1) Fuel leakage from the exhaust to surrounding compartments;

(2) Exhaust gas impingement on surrounding equipment or structure;

(3) Ignition of flammable fluids by the exhaust, when the exhaust is located in a compartment containing flammable fluid lines;

(4) Restriction by the exhaust of the prompt relief of backfires which can cause heater failure due to pressure generated within the heater.

45. By amending § 4b.413 (b) by adding a new subparagraph (4) to read as follows:

§ 4b.413 *Fuel flow rate*. . . .

(b)

(4) In systems where § 4b.435 (d) requires a fuel filter bypass arrangement, the fuel flow rate corresponding with 100 percent of the engines' maximum fuel demand at standard atmospheric conditions shall be demonstrated with the fuel filter blocked.

46. By amending § 4b.414 by adding at the beginning of paragraph (a) the words: "For reciprocating engines,".

47. By amending § 4b.414 by deleting from the first sentence of paragraph (b) the words "paragraph (a) of", by redesignating paragraph (b) as paragraph (c), and by adding a new paragraph (b) to read as follows:

§ 4b.414 *Pump systems*. . . .

(b) For turbine engines, the fuel flow rate for pump systems shall be 125 percent of the fuel flow required to develop the standard sea level atmospheric condition take-off power, selected by the applicant and included as an operating limitation in the Airplane Flight Manual.

48. By amending § 4b.420 by deleting paragraph (c) and by redesignating paragraphs (d) and (e) as (c) and (d), respectively.

49. By amending § 4b.421 (a) to read as follows:

§ 4b.421 *Fuel tank tests*. (a) Fuel tanks shall be demonstrated capable of withstanding the most critical of the following pressures without failure or leakage as mounted in the airplane:

(1) Internal pressure of 3.5 p. s. i.;

(2) 125 percent of the maximum air pressure developed in the tank from ram effect;

(3) The fluid pressures developed during maximum limit accelerations of the airplane with a full tank. If any of these pressures exceed the greater of the pressures prescribed in subparagraphs (1) and (2) of this paragraph, the test shall be conducted so as to simulate the pressure distribution insofar as practicable. The minimum pressure at any point in the tank shall not be less than the greater of the pressures prescribed

in subparagraphs (1) and (2) of this paragraph.

50. By amending the introductory paragraph of § 4b.421 (b) to read as follows:

§ 4b.421 *Fuel tank tests*. . . .

(b) Tanks with large unsupported or unstiffened flat surfaces, the failure or deformation of which could cause fuel leakage, shall be capable of withstanding a vibration test in accordance with the conditions of subparagraphs (1) through (4) of this paragraph, or other equivalent test, without leakage, or excessive deformation of the tank walls.

51. By amending § 4b.421 (b) (2) to read as follows:

§ 4b.421 *Fuel tank tests*. . . .

(b)

(2) The tank assembly shall be vibrated for 25 hours while filled two-thirds full of water or any suitable test fluid. The amplitude of vibration shall not be less than one thirty-second of an inch, unless otherwise substantiated.

52. By amending § 4b.421 (b) (4) to read as follows:

§ 4b.421 *Fuel tank tests*. . . .

(b)

(4) During the test, the tank assembly shall be rocked at the rate of 16 to 20 complete cycles per minute through an angle of 15° on either side of the horizontal (30° total) about the most critical axis for 25 hours. If motion about more than one axis is likely to be critical, the tank shall be rocked about each axis for 12½ hours.

53. By amending § 4b.421 (b) by deleting subparagraph (5).

54. By amending § 4b.424 (a) to read as follows:

§ 4b.424 *Fuel tank sump*. (a) Each fuel tank shall be provided with a sump having a capacity of not less than either 0.10 percent of the tank capacity or one-sixteenth of a gallon, whichever is the greater, except that a smaller capacity shall be acceptable if operating limitations are established to assure that in service the accumulation of water will not exceed the sump capacity.

55. By amending § 4b.430 (a) (3) by adding the word "Reciprocating" at the beginning of the second sentence.

56. By amending § 4b.430 (b) (1) by inserting the words "reciprocating engine" between the words "of" and "installations".

57. By amending § 4b.431 (a) by adding a new sentence at the end thereof to read as follows: "In turbine engine fuel systems, provisions shall be made to maintain the fuel pressure at the inlet to the engine fuel system within the limits established for engine operation."

58. By amending § 4b.435 by adding a new paragraph (d) to read as follows:

§ 4b.435 *Fuel strainer*. . . .

(d) When filter or strainers susceptible to icing are incorporated in the fuel system, a means shall be provided to maintain automatically the fuel flow in the event ice particles accumulate and restrict flow by clogging the filter or screen.

59. By amending § 4b.437 (c) by adding a new sentence at the end thereof to read as follows: "For turbine-powered airplanes, the design of the jettisoning system shall be such that it would not be possible to jettison fuel in the tanks used for take-off and landing below the level providing climb from sea level to 10,000 feet and thereafter providing 45 minutes cruise at a speed for maximum range."

60. By amending § 4b.451 (c) to read as follows:

§ 4b.451 *Cooling tests.* * * *

(c) *Correction factor for cylinder head, oil inlet, and carburetor air temperatures.* The cylinder head, oil inlet, and carburetor air temperatures shall be corrected by adding the difference between the maximum anticipated air temperature and the temperature of the ambient air at the time of the first occurrence of maximum head, oil, or air temperature recorded during the cooling test, unless a more rational correction is shown to be applicable.

61. By amending § 4b.604 by deleting paragraph (b).

62. By amending § 4b.637 by adding a new sentence at the end thereof to read as follows: "If an additional anti-collision light is installed on the bottom of the fuselage, the prescribed limits of effective flash frequency in the overlap region of the two light beams need not be met."

63. By amending § 4b.643 by adding a new sentence at the end thereof to read as follows: "In the case of safety belts for berths, the forward load factor need not be applied."

64. By amending § 4b.711 (b) by adding a note at the end thereof to read as follows:

NOTE: Where speeds are limited by compressibility effects, this section is intended to provide an adequate margin between M_{NE} and the lowest of the following Mach values: M_D , M_{DP} , or the Mach number where adverse flight characteristics, such as the following, occur: Undue reduction in ability to recover; rapid or large changes in stability during level flight or recovery which would cause the airplane to exceed structural limits; buffeting so severe as to endanger the structural integrity of the airplane. The speed margin required usually depends upon the effectiveness of the warning provided to the pilots whenever M_{NE} is reached or exceeded, and upon the recovery or speed control characteristics of the airplane. In any case the margin should be sufficient: To enable recovery from mild upsets due to gusts or inadvertent control movements or trim changes; to allow for inadvertent increases in Mach number due to horizontal gusts or temperature inversions; and, for instrument inaccuracies or airplane production differences. The probability of the simultaneous occurrence of the aforementioned speed margin conditions are usually considered, but the effects of all such conditions are not necessarily additive.

65. By amending §§ 4b.718 (a) (4), (a) (5) and (b) (3) by deleting in each instance the words "or coolant outlet".

66. By amending § 4b.738 (b) by deleting the title and inserting in lieu thereof the following: "Fuel and oil filler openings."

67. By amending § 4b.738 (b) by deleting subparagraph (3).

68. By amending § 4b.738 by deleting paragraph (d) and by redesignating paragraph (e) as paragraph (d).

(Sec. 205, 52 Stat. 984, 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, as amended, 49 U. S. C. 551, 553)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 56-1103; Filed, Feb. 10, 1956;
8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter F—Rehabilitation and Neighborhood Conservation Housing Insurance

PART 261—HOME REHABILITATION INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING ONE- TO ELEVEN-FAMILY DWELLINGS

PART 263—MULTIFAMILY REHABILITATION INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE

MISCELLANEOUS AMENDMENTS

1. Section 261.1 (a) is amended by adding to the listed provisions the following:

§ 261.1 *Incorporation by reference.*
(a) * * *

§ 221.41 *Rental properties.*

2. Part 261 is amended by adding a new § 261.10a as follows:

§ 261.10a *Rental properties.* (a) A mortgage on property upon which there is a dwelling to be rented by the mortgagor, shall not be eligible for insurance if said property is a part of, or adjacent or contiguous to a project, subdivision or group of similar rental properties which involve twelve or more dwelling units if the mortgagor has any financial interest in said properties.

(b) No two-, three-, or four-family dwelling nor single-family dwelling, if it is a part of a group of five or more single-family dwellings held by the same mortgagor or any part or unit thereof, shall be rented or offered for rent for transient or hotel purposes, as defined in § 221.15 of this chapter, so long as such dwelling is subject to any insured mortgage.

3. Section 263.1 (a) is amended by adding to the listed provisions the following:

§ 263.1 *Incorporation by reference.*
(a) * * *

§ 232.17 *Classification.*

4. Part 263 is amended by adding a new § 263.9a as follows:

§ 263.9a *Classification of mortgagors.* In order to be eligible as a mortgagor under this part the applicant must be:

(a) (1) *Private corporate mortgagors.* A private corporation (referred to in this subchapter as "mortgagor," "corporation," or "mortgagor corporation"), formed or created, with the approval of the Commissioner for the purpose of providing housing for rent or sale, and possessing powers necessary therefor and incidental thereto, which corporation is regulated or restricted by the Commissioner as to rents or sales, charges, capital structure, rate of return, and methods of operation. Such regulation or restriction shall remain in effect until such time as the mortgage insurance contract terminates without obligation upon the Commissioner to issue debentures as a result of such termination. So long as such contract of insurance is in effect, the corporation shall engage in no business other than the construction and operation of a Rental Housing project limited to nontransient occupancy; or

(2) *Private non-corporate mortgagors.* An association, partnership, trustee or legal entity other than a corporation, formed or created, with the approval of the Commissioner for the purpose of providing housing for rent or sale, and possessing powers necessary therefor and incidental thereto, which private non-corporate mortgagor is regulated or restricted by the Commissioner as to rents or sales, charges, capital structure, rate of return, and methods of operation. Such regulation or restriction shall remain in effect until such time as the mortgage insurance contract terminates without obligation upon the Commissioner to issue debentures as a result of such termination. So long as such contract of insurance is in effect, the private non-corporate mortgagor shall not, except with the approval of the Commissioner, engage in any business other than the construction and operation of a Rental Housing project limited to nontransient occupancy. The powers of the Commissioner to regulate or restrict the operations of such private non-corporate mortgagors may in the discretion of the Commissioner be effected and exercised under a contract or regulatory agreement satisfactory to and approved by the Commissioner, rather than through the provisions of a certificate of incorporation or other instrument under which the mortgagor is created or through the acquisition of shares of stock or certificates of interest as provided in §§ 232.18 (c) and 232.19 (a) of this chapter which sections are incorporated by reference in this part. In connection with those portions of Part 232 of this chapter which are incorporated by reference into this part certain words and terms shall be deemed to have a meaning and connotation as follows: "Corporation" means "private non-corporate mortgagor;" "certificate of incorporation" means "articles of association and/or Regulatory Agreement;" "shares of stock," "special stock" or "interest" mean the equities or interests of the members of the private non-corporate mortgagor association; and "stockholders," either expressly or impliedly designated, means members of the private non-corporate mortgagor association; or

(b) *Public mortgagors.* A federal or state instrumentality, a municipal cor-

porate instrumentality of one or more states, or a limited dividend or redevelopment or housing corporation formed under and restricted by federal or state laws or regulations of a state banking or insurance department as to rents, charges, capital structure, rate of return, or methods of operation.

(Sec. 211, 52 Stat. 23; 12 U. S. C. 1715b.)

Issued at Washington, D. C., February 8, 1956.

[SEAL] NORMAN P. MASON,
Federal Housing Commissioner.

[P. R. Doc. 56-1121; Filed, Feb. 10, 1956;
8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 94]

RINDERPEST OR FOOT-AND-MOUTH DISEASE; PROHIBITED AND RESTRICTED IMPORTATIONS

ORGANS, GLANDS, EXTRACTS OR SECRETIONS OF RUMINANTS OR SWINE

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that, pursuant to the provisions of section 2 of the act of February 2, 1903, as amended (21 U. S. C. 111), it is proposed to amend § 94.3 of Part 94, Title 9, Code of Federal Regulations, to read as follows:

§ 94.3 *Organs, glands, extracts, or secretions of ruminants or swine.* The importation of fresh, chilled, or frozen organs, glands, extracts, or secretions derived from ruminants or swine, originating in any country designated in § 94.1, except for pharmaceutical or biological purposes under conditions prescribed by the Chief of the Animal Inspection and Quarantine Branch in each instance, is prohibited.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Chief, Animal Inspection and Quarantine Branch, Agricultural Research Service, United States Department of Agriculture, Washington, D. C., within 30 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D. C., this 8th day of February 1956.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[P. R. Doc. 56-1100; Filed, Feb. 10, 1956;
8:49 a. m.]

Commodity Stabilization Service

[7 CFR Part 729]

PEANUTS

NOTICE OF INTENTION TO FORMULATE AND ISSUE REGULATIONS GOVERNING MARKETING, COLLECTION OF MARKETING PENALTIES, AND RECORDS AND REPORTS FOR 1956 CROP OF PEANUTS

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended, (7 U. S. C. and Sup. 1301, 1358-1359, 1372-1375), the Secretary of Agriculture is preparing to formulate marketing quota regulations governing the issuance of marketing cards, the identification of peanuts, the collection and refund of penalties, and the records and reports incident thereto on the marketing of peanuts for the 1956-57 marketing year. It is proposed that the regulations will be substantially the same as the 1955-crop regulations (20 F. R. 3819).

Prior to issuance of such regulations, consideration will be given to any data, views, and recommendation relating thereto which are submitted in writing to the Director, Oils and Peanut Division, Commodity Stabilization Service, U. S. Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 7th day of February 1956.

[SEAL] WALTER C. BERGER,
Acting Administrator.

[P. R. Doc. 56-1101; Filed, Feb. 10, 1956;
8:49 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

NOTICE OF FILING OF PETITION FOR ESTABLISHMENT OF TOLERANCES FOR RESIDUES OF HEPTACHLOR

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U. S. C. 346a (d) (1)), the following notice is issued:

A petition has been filed by Velsicol Chemical Corporation, 330 East Grand Avenue, Chicago, Illinois, proposing the establishment of a tolerance of 0.1 part per million for residues of heptachlor in or on the following raw agricultural commodities: Carrots, peaches, radishes.

The analytical method proposed in the petition for determining residues of heptachlor is the method published in the FEDERAL REGISTER on March 22, 1955 (20 F. R. 1703).

Dated: February 7, 1956.

[SEAL] GEO. F. LARRICK,
Commissioner of Food and Drugs.

[P. R. Doc. 56-1085; Filed, Feb. 10, 1956;
8:45 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Coast Guard General Order No. 4]

[CGFR 56-2]

COMMANDANT, COAST GUARD

1. Coast Guard General Order No. 1, dated July 18, 1955, provides in part as follows:

AN AUTHORIZATION TO REVOKE CERTAIN REGULATIONS

3. *Appointment of Commissioned Officers.* (a) Whenever a vacancy occurs in the active list of regular commissioned officers in the grades of captain and below, the Commandant may recommend to the Secretary that such vacancy be filled by appointment from among the categories of persons listed in 14 U. S. C. 225 (a). In this event, the Commandant shall recommend for such appointment a person whom he deems to be qualified mentally, morally, professionally, and physically to perform the duties of a commissioned officer in the grade for which recommended.

(b) The Commandant, in satisfying himself that a person is fitted for appointment may prescribe requirements and qualifications to be met, may convene an examination board to consider the person's qualifications and recommend as to his fitness, may require the passing of an examination in one or more subjects, and may take other action as he deems necessary.

4. *Appointment of Chief Warrant Officers.* Whenever the Commandant determines that any person should be appointed to a permanent chief warrant officer grade from other than another warrant or commissioned grade, and from among the categories of persons listed in 14 U. S. C. 228 (a), he shall recommend the appointment of such person to the Secretary. The Commandant, in satisfying himself that any person so recommended is mentally, morally, professionally, and physically qualified for appointment as a chief warrant officer, may prescribe requirements and qualifications to be met, may convene an examination board to consider the person's qualifications and recommend as to his fitness, may require the passing of an examination in one or more subjects, and may take other action as he deems necessary.

2. In order to carry out these provisions the Commandant is authorized to revoke any regulation heretofore issued by the Secretary of the Treasury under the provisions of 14 U. S. C. 225 (b) or 228 (b).

Dated: February 3, 1956.

[SEAL] DAVID W. KENDALL,
Acting Secretary of the Treasury.

[P. R. Doc. 56-1104; Filed, Feb. 10, 1956;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

PIT RIVER PROJECT, CALIFORNIA

ORDER OF REVOCATION

FEBRUARY 25, 1955.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954 (19 F. R. 5004), I hereby revoke Departmental Orders of October 8, 1907, and December 6, 1915, insofar as said orders affect the following described

lands, provided, however, that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter described.

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 39 N., R. 9 E.
 Sec. 2, Lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$:
 Sec. 3, all;
 Sec. 4, E $\frac{1}{2}$, NW $\frac{1}{4}$:
 Sec. 9, E $\frac{1}{2}$:
 Sec. 10, all;
 Sec. 11, all;
 Sec. 12, W $\frac{1}{2}$:
 Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$:
 Sec. 14, N $\frac{1}{2}$:
 Sec. 15, all;
 Sec. 16, all;
 Sec. 21, E $\frac{1}{2}$:
 Sec. 22, all;
 Sec. 23, W $\frac{1}{2}$:
 Sec. 27, N $\frac{1}{2}$:
 T. 40 N., R. 9 E.
 Sec. 33, S $\frac{1}{2}$:
 Sec. 34, S $\frac{1}{2}$.

The above area aggregates 7,960 acres.

E. G. NIELSEN,
 Acting Commissioner.
 [564902]

FEBRUARY 6, 1956.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The following-described lands have been patented:

MOUNT DIABLO MERIDIAN

T. 39 N., R. 9 E.
 Sec. 2, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$:
 Sec. 3, lots 1, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$:
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$:
 Sec. 9, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$:
 Sec. 10;
 Sec. 11, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$:
 Sec. 12, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$:
 Sec. 13, NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$:
 Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$:
 Sec. 15, N $\frac{1}{2}$, SW $\frac{1}{4}$:
 Sec. 16;
 Sec. 21, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$:
 Sec. 22, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$:
 Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$:
 T. 40 N., R. 9 E.
 Sec. 33, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$:
 Sec. 34, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 5,840 acres.

The remaining lands, aggregating 2,120 acres, are located in the drainage of the Pit River, in southern Modoc County, California. They consist of a high, plateau-like area. The soil is clay loam derived from volcanic parent material. On the lower slopes, the vegetation consists of the northern desert shrub type. The lands are too rough and mountainous for successful agricultural production. They are within California Grazing District No. 2.

No application for the restored lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not

be subject to occupancy or disposition until they have been classified.

Subject to any valid existing rights and the requirements of applicable law, the restored lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on March 13, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on June 12, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on June 12, 1956 will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to applications and offers under the mineral-leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a. m. on June 12, 1956.

Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

EDWARD WOOLEY,
 Director,
 Bureau of Land Management.

[F. R. Doc. 56-1089; Filed, Feb. 10, 1956; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

ELECTROEXPORT AND ALBERT OBERMAYR

ORDER FURTHER EXTENDING TEMPORARY ORDER DENYING EXPORT PRIVILEGES

In the matter of Export Elektrotechnischer Erzeugnisse trading as Electroexport and Albert Obermayr, Rotenturmstrasse 25, Vienna 1, Austria; respondents.

An order having heretofore been made on December 13, 1955 (20 F. R. 9468, published December 16, 1955), denying export privileges to the respondents for a period of 30 days from the date of said order, and the said order having been extended so that the same is now effective to and including the 11th day of February 1956 (21 F. R. 223, January 11, 1956), and service of the said orders and of a charging letter in this proceeding having been completed upon the said respondents, and the respondents having answered admitting that they transshipped paraffin to Poland but denying that they knew that such transshipment was in contravention of the export control regulations, and the Director, Investigation Staff, having applied orally for a further order extending the said order pending the completion of the proceeding instituted by the said charging letter, said application was referred to the Compliance Commissioner, who has recommended that the application be granted. Having concluded that a further extension of said order of December 13, 1955, is reasonable and necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended.

It is hereby ordered: That the said order of December 13, 1955, be, and the same hereby is further extended until the making and entry of an order determining the compliance proceeding now pending against the respondents.

Dated: February 8, 1956.

JOHN C. BORTON,
 Director,
 Office of Export Supply.

[F. R. Doc. 56-1097; Filed, Feb. 10, 1956; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-3677]

PRODUCT DEVELOPMENT CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

FEBRUARY 7, 1956.

I. Product Development Corporation, a Delaware corporation, 1511 Fox Building, 16th and Market Streets, Philadelphia, Pennsylvania, having filed with the Commission on May 4, 1954, a notification on Form 1-A, and subsequently filed amendments thereto, relating to a proposed public offering of 300,000 shares of 1¢ par value common stock at \$1 per

share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

II. A. The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the company has failed to file reports on Form 2-A as required by Rule 224 of Regulation A; and

B. The Commission having been advised that on December 13, 1955, Product Development Corporation was permanently enjoined by the New York State Supreme Court, New York County from engaging in securities transactions in the State of New York:

III. It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933 that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for a hearing; that, within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

It is further ordered, That this order and notice shall be served upon Products Development Corporation and A. J. Grayson, 82 Beaver Street, New York, New York, personally or by registered mail or confirmed telegraphic notice, and shall be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 56-1083; Filed, Feb. 10, 1956;
8:45 a. m.]

[File No. 24NY-3683]

STERLING INDUSTRIES, INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING
FEBRUARY 7, 1956.

I. Sterling Industries, Inc., a Delaware Corporation, (hereinafter designated as issuer) 215 Emmet Street, Newark, New Jersey, having filed with the Commission on May 11, 1954, a notification on Form 1-A, and subsequently filed amendments thereto, relating to a proposed public offering of 300,000 shares of 5¢ par value common stock at \$1 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

II. A. The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the issuer has failed to file reports on Form 2-A as required by Rule 224 of Regulation A; and

B. The Commission having been advised that on February 18, 1955, East Coast Securities Corporation, underwriter under the subject notification, was permanently enjoined by the New York State Supreme Court, New York County from engaging in securities transactions in the State of New York:

III. It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933 that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for a hearing; that, within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

It is further ordered, That this order and notice shall be served upon Sterling Industries, Inc., East Coast Securities Corporation, 61 Broadway, New York, New York, and Commercial Trust Company, 15 Exchange Place, Jersey City, New Jersey, personally or by registered mail or confirmed telegraphic notice, and shall be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 56-1084; Filed, Feb. 10, 1956;
8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

CARMELO CHESARE ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim Nos., Property, and Location

Carmelo Chessare, Montgomery, New York, Claim No. 37492; Salvatore Chessari, Valledolmo (Palermo), Italy, Giovanni Chessari,

Palermo, Italy, Concetta Vindigni Chessari, Comiso, Italy, Claim No. 44060; Vesting Order No. 2517.

\$5,480.84 in the Treasury of the United States, one-third each to Carmelo Chessare, Salvatore Chessari and Giovanni Chessari.

\$2,740.43 in the Treasury of the United States, to Carmelo Chessare, Salvatore Chessari, Giovanni Chessari and Concetta Vindigni Chessari.

Executed at Washington, D. C., on February 3, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-1091; Filed, Feb. 10, 1956;
8:47 a. m.]

SHIZUE SAWANO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Shizue Sawano, Mitsubishi Apartment No. 11, Mihara City, Hiroshima-ken, Japan, Claim No. 60047. \$10,520.44 in the Treasury of the United States. Vesting Order No. 18251.

Executed at Washington, D. C., on February 3, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-1092; Filed, Feb. 10, 1956;
8:47 a. m.]

LISA WEBER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Lisa Weber, Berlin-Suedende, Germany, Claim No. 56583. \$12,646.12 in the Treasury of the United States. Vesting Order No. 8517.

Executed at Washington, D. C., on February 6, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-1093; Filed, Feb. 10, 1956;
8:47 a. m.]

GERBERTUS H. DE VRIES

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Gerbertus H. de Vries, Hilversum, Holland, Claim No. 41865. Property described in Vesting Order No. 671 (8 F. R. 5004, April 17, 1943), relating to an undivided one-half interest in United States Letters Patent No. 2,263,704.

Executed at Washington, D. C., on February 6, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-1094; Filed, Feb. 10, 1956;
8:47 a. m.]

IVANA MAROHNIC

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Ivana Marohnic, Zlobina, Hrvatska, Yugoslavia, Claim No. 56966, Voluntary Turnover, \$732.48 in the Treasury of the United States.

Executed at Washington, D. C., on February 6, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-1095; Filed, Feb. 10, 1956;
8:47 a. m.]

JOSEPH EMILE KIENLEN ET AL.

AMENDED NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Whereas a Notice of Intention to Return Vested Property was published in the Federal Register on June 21, 1952 (17 Fed. Reg. 5623), with respect to the return to Emile Kienlen of the sum of \$250.00 in the Treasury of the United States:

Whereas information was subsequently received to the effect that Emile Kienlen died in France on February 18, 1950, leaving as his heirs his children, Joseph Emile Kienlen, Augustine Anne Brauner, nee Kienlen, Marie Josephine Wurth, nee Kienlen, Amelie Victorine Schmitt, nee Kienlen, Albert Florian Kienlen, Marguerite Jeanne Kienlen and Emilie Albertine Kienlen;

Whereas the four first-mentioned heirs and Mrs. Stephanie Amelie Kienlen, nee Wurth, as the natural guardian of the three last named heirs, who are minors, have been substituted as claimants in this matter;

Now, therefore, pursuant to section 32 of the Trading With the Enemy Act, as amended, the said Notice of Intention to Return Vested Property is hereby amended as follows:

Under "Claimant" the name "Emile Kienlen" and under "Property and Location" the words "and Emile Kienlen" are deleted, and in lieu thereof the following language is added:

Claimant, Claim No., Property, and Location

Joseph Emile Kienlen, Ste-Croix en Plaine (Haut-Rhin), France, Augustine Anne Brauner, 27 rue des Tuiles, Brumath (Bas-Rhin), France, Marie Josephine Wurth, 3 rue de la Poudriere, Colmar (Haut-Rhin), France, and Amelie Victorine Schmitt, 4a rue des Vignes, Colmar (Haut-Rhin), France; 1/7th of \$250 in the Treasury of the United States to each of the following: Joseph Emile Kienlen, Augustine Anne Brauner, Marie Josephine Wurth, Amelie Victorine Schmitt; and Stephanie Amelie Kienlen, 28a, Route d'Ingersheim, Colmar (Haut-Rhin), France, as natural guardian of her minor children, Albert Florian Kienlen, Marguerite Jeanne Kienlen and Emilie Albertine Kienlen 3/7ths of \$250 in the Treasury of the United States to Stephanie Amelie Kienlen as natural guardian of her minor children, Albert Florian Kienlen and Emilie Albertine Kienlen; Claim No. 43892.

All other provisions of said Notice of Intention to Return Vested Property and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on February 6, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-1096; Filed, Feb. 10, 1956;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Taylor's I. C. C. Order 65]

NASHVILLE, CHATTANOOGA AND ST. LOUIS RAILWAY

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Charles W. Taylor, Agent, the Nashville, Chattanooga and

St. Louis Railway, because of high water, is unable to transport traffic routed over its lines between Hobbs Island and Guntersville.

It is ordered, That:

(a) Rerouting NC&StL Traffic: The Nashville, Chattanooga and St. Louis Railway is hereby authorized to reroute or divert traffic moving on its lines, routed via its car ferry, over any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 9:00 a. m., February 6, 1956.

(g) Expiration date: This order shall expire at 11:59 p. m., February 13, 1956, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., February 6, 1956.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F. R. Doc. 56-1088; Filed, Feb. 10, 1956;
8:46 a. m.]